

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CLAUDIA BARBINI and MARYETTA HENRY,

Plaintiffs,

-against-

FIRST NIAGARA BANK N.A., KEYBANK N.A.,
as successor in interest to FIRST NIAGARA BANK,
N.A., IRINA DAMYANIDU, *in her official and*
individual capacities, ROBERT MCMICHAEL, *in*
his official and individual capacities, and HUGH
LAWLESS, *in his official and individual capacities*,

Defendants.

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No. 16 Civ. 7887 (NSR)
ORDER

NELSON S. ROMÁN, United States District Judge:

On this day, the Court *sua sponte* considered the above-captioned case. On January 14, 2022, the Court entered its “Opinion and Order” (ECF No. 150) granting in part, denying in part Defendants’ motion for summary judgment (ECF No. 139).

In the conclusion section of the Opinion and Order, at the bottom of page 53, the Court noted the following:

For the foregoing reasons, Defendants’ motion for summary judgment is GRANTED in part, DENIED in part. Defendants’ motion is GRANTED as to (1) Barbini’s claims for discrimination based on gender under Title VII and the NYSHRL; (2) Barbini’s claim for discrimination based on age under the ADEA and the NYSHRL; (3) Barbini’s retaliation claims for opposing age discrimination under the ADEA and the NYSHRL; and (4) Barbini’s hostile work environment claims under the ADEA and the NYSHRL. Defendants’ motion is DENIED as to (1) Henry’s claims for discrimination based on gender under Title VII and the NYSHRL; and (2) Plaintiffs’ claims for retaliation for opposing sexual harassment under Title VII and the NYSHRL.

(ECF No. 150 at 53.) However, there is a typo in that paragraph that is inconsistent with the rest of the Opinion and Order.

Therefore, in the conclusion section of the Court's "Opinion and Order" (ECF No. 150), the paragraph at the bottom of page 53 should have read, and the Court now AMENDS it to read:

For the foregoing reasons, Defendants' motion for summary judgment is GRANTED in part, DENIED in part. Defendants' motion is GRANTED as to (1) Barbini's claim for discrimination based on gender under Title VII; (2) Barbini's claims for discrimination based on age under the ADEA and the NYSHRL; (3) Barbini's retaliation claims for opposing age discrimination under the ADEA and the NYSHRL; and (4) Barbini's hostile work environment claims under the ADEA and the NYSHRL. Defendants' motion is DENIED as to (1) Henry's claims for discrimination based on gender under Title VII and the NYSHRL; (2) Barbini's claim for discrimination based on gender under the NYSHRL; and (3) Plaintiffs' claims for retaliation for opposing sexual harassment under Title VII and the NYSHRL.

Accordingly, the Court will subsequently issue an amended opinion and order reflecting the changes indicated herein.

Dated: March 3, 2022
White Plains, NY

SO ORDERED:

A handwritten signature in dark ink, appearing to read "N. Román", is written over a horizontal line.

NELSON S. ROMÁN
United States District Judge